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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 IVAN VON STAICH,  
12 Petitioner,  
13 v.  
14 U.S. PAROLE COMMISSION,  
15 Respondent.  
16

Case No. 1:21-cv-00628-HBK

ORDER DIRECTING UNITED STATES  
ATTORNEY TO INFORM COURT OF  
PETITIONER'S STATUS

17 Petitioner Ivan Von Staich initiated this action by filing a *pro se* petition for writ of  
18 mandamus under 28 U.S.C. § 1651. (Doc. No. 1). On April 16, 2021, the Court ordered  
19 Respondent to respond to the petition (Doc. No. 7) and served a copy of the order electronically  
20 on the United States Attorney's Office for the Eastern District of California. *See docket.*  
21 Respondent has not yet responded to the petition.<sup>1</sup> Although difficult to ascertain, it appears that  
22 Petitioner was arrested on an outstanding federal warrant for violating the terms of his federal  
23 parole and was temporarily held in the custody of Fresno County Jail. (*See generally* Doc. No.  
24 1). In his writ of mandamus, Petitioner seeks a court order directing Respondent to terminate all  
25 parole violation proceedings against him. (*Id.* at 6-7). The Court *sua sponte* takes judicial notice  
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28 <sup>1</sup> The Court notes that named respondent, the U.S. Parole Commission, was served by regular U.S. mail,  
not by certified mail as directed in the Order and required by Federal Rule of Civil Procedure 4(i)(2).

1 under Federal Rule of Evidence 201 that Petitioner is currently incarcerated in Victorville United  
2 States Penitentiary with a stated release date of December 4, 2021.<sup>2</sup>

3 The Court directs the United States Attorney's Office for the Eastern District of California  
4 to inform the Court of the Petitioner's custody status. Specifically, the Court seeks to ascertain  
5 the nature of his custody, whether that be pre-trial or post-conviction, his projected release date,  
6 and any other pertinent information.

7 Accordingly, it is **ORDERED**:

8 Within fourteen (14) days of the date of this Order, the United States Attorney's Office for  
9 the Eastern District of California shall provide the above requested information to the Court.

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11 Dated: July 9, 2021

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE

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<sup>2</sup> See Bureau of Prison's Inmate Locator, <https://www.bop.gov/inmateloc/>, last accessed July 9, 2021.